REMARKS/ARGUMENTS

The Office Action mailed October 20, 2003 has been carefully reviewed. Reconsideration of this application, as amended and in view of the following remarks, is respectfully requested. The claims presented for examination are: claims 1-30. Applicant has amended all of the independent claims, claims 1, 10, 17, and 24.

Specification

In numbered paragraphs 1 and 2 of the Office Action Mailed October 20, 2003, Applicant was advised that the application does not conform with 37 CFR 1.77(b). Applicant has amended the application to comply with 37 CFR 1.77(b). No new matter has been added. Specifically, the application has been amended on page 1, line 1; substituting the following title without underlining: SYSTEM AND METHOD FOR MULTIMEDIA ENCRYPTION; on page 1, line 8; substituting the following heading without underlining: BACKGROUND OF THE INVENTION; on page 1, line 9; substituting the following heading without underlining: 1. Field of the Invention; on page 1, line 9; substituting the following heading without underlining: 2. Discussion of Background Art; on page 4, line 1; substituting the following heading without underlining: SUMMARY OF THE INVENTION; on page 6, line 1; substituting the following heading without underlining: BRIEF DESCRIPTION OF THE DRAWINGS; on page 7, line 1; substituting the following heading without underlining: DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENT; and on page 14, before line 1; substituting the following heading without underlining: WHAT IS CLAIMED IS.

Applicant believes a full and complete response to the objection to the application in numbered paragraphs 1 and 2 of the Office Action mailed 10/20/2003 has been made.

35 USC 103 Rejection

In numbered paragraph 4 of the Office Action mailed 10/20/2003, original claims 1-30 were rejected under 35 USC 103(a) as allegedly being unpatentable over the Noll et al Reference (US Patent No. 5,732,138) in view of the Owashi et al Reference (US Patent No. 6,363,210). Applicant has amended all of the independent claims, claims 1, 10, 17, and 24.

The Owashi et al Reference is directed to "an apparatus for selectively recording and reproducing an analog signal and a digital signal." (Col. 2, lines 22-23) The Owashi et al Reference does not disclose a system for multimedia encryption having the capacity of containing random noise that is completely unpredictable from one moment to the next or chaotic noise that is somewhat predictable over time or a data compression module coupled to receive and compress the media signal containing random noise that is completely unpredictable from one moment to the next or chaotic noise that is somewhat predictable over time into a compressed data stream as claimed by Applicant.

The Noll et al Reference shows, "a method for generating a pseudo-random number that can be used in the formulation of a cryptographic key to ensure the security of confidential information. Initially, the state of a chaotic system is digitized to form a binary string. This can be done, for example, by taking pictures of a moving freeway, clouds, or lava lamps. The binary string is then cryptographically hashed to produce a second binary string. The cryptographic hashing function serves several purposes. The cryptographic hash makes it difficult to predict the chaotic system. Furthermore, small variations in the digitized chaotic system will produce extremely different binary strings. In

addition, knowledge about the cryptographic hash yields no information regarding the chaotic system. It is this second binary string which is used as a seed for a pseudo-random number generator. The resulting output from the pseudo- random number generator can then be used in forming a password for use in a security system." (Col. 3, lines 6-24)

The Noll et al Reference is limited to a chaotic source. Note that Noll et al Reference states, "More specifically, the present invention pertains to an apparatus and method for producing a seed for a pseudo-random number generator from hashing the digitization of a chaotic source." (Col. 1, lines 8-11) The Noll et al Reference describes chaotic system as, "chaotic systems can be completely or partially predicted over small amounts of time." (Col. 2, lines 6-7)

The Office Action mailed October 20, 2003 on page 4, the first full paragraph, states, "Noll et al does not teach multimedia encryption, and he does not teach a data compression module coupled to receive and compress the media signal into a compressed data stream and from the compressed data stream." Applicant has amended the four independent claims, claims 1, 10, 17, and 24, to include the limitations that, "said media signal having the capacity of containing random noise that is completely unpredictable from one moment to the next or chaotic noise that is somewhat predictable over time" and "a data compression module coupled to receive and compress the media signal containing random noise that is completely unpredictable from one moment to the next or chaotic noise that is somewhat predictable over time into a compressed data stream."

Applicant respectfully traverses the rejection of claims 1-30 under 35 U.S.C. §103(a) over the Noll et al Reference in view of the Owashi et al Reference.

Both the Noll et al Reference and the Owashi et al Reference fail to show a number of elements of Applicant's invention defined by amended claims 1-30. For example, neither the Noll et al Reference or the Owashi et al Reference show

Applicant's claim elements "media signal having the capacity of containing random noise that is completely unpredictable from one moment to the next" or "a data compression module coupled to receive and compress the media signal containing random noise that is completely unpredictable from one moment to the next." Since both references fail to show the elements, there can be no combination of the two references that would show Applicant's invention defined by amended claims 1-30 and render it unpatentable.

Further, there is no suggestion or motivation to combine the Noll et al Reference and the Owashi et al Reference. Under MPEP §2142, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or to combine reference teachings. It should be noted that the teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). Since there is no suggestion or motivation to combine the Noll et al Reference and the Owashi et al Reference to produce Applicant's invention, a 35 U. S. C §103(a) rejection of Applicant's amended claims 1-30 would not be appropriate.

SUMMARY

The undersigned respectfully submits that, in view of the foregoing amendments and the foregoing remarks, the rejections of the claims raised in the Office Action mailed October 20, 2003 have been fully addressed and overcome, and the present application is believed to be in condition for allowance. It is respectfully requested that this application be reconsidered, that the claims be allowed, and that this case be passed to issue. If it is believed that a telephone conversation would expedite the prosecution of the present application, or clarify matters with regard to its allowance, the Examiner is invited to call the undersigned attorney at (925) 424-6897.

Respectfully submitted,

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Livermore, California
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